

UNITED STATES DISTRICT COURT

5:16-cv-4784
16 4784

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: Lancaster, PA 17602

Address of Defendant: 1680 Capital One Drive, McLean, VA 22102

Place of Accident, Incident or Transaction: _____
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?
(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a)) Yes ☐ No ☐

Does this case involve multidistrict litigation possibilities? Yes ☐ No ☐

RELATED CASE, IF ANY:
Case Number: _____ Judge AK Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☐
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☐
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☐
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes ☐ No ☐

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☒ All other Federal Question Cases
(Please specify) Telecommunications Act

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases
(Please specify) _____

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, _____, counsel of record do hereby certify:
☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
☐ Relief other than monetary damages is sought.

DATE: _____ Attorney-at-Law _____ Attorney I.D.# _____

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

SEP - 2 2016

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 9/2/16 Steve Tomas Deputy Clerk
Attorney-at-Law Attorney I.D.#

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

LS

Nakia Tumblin

CIVIL ACTION

Capital One Bank (U.S.A.)
N.A.NO. **16 4784**

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

Date 9/2/16

Glove Torres
Attorney-at-law

Deputy Clerk
Attorney for

Telephone

FAX Number

E-Mail Address

CLOSED,HBG

LS

**United States District Court
Middle District of Pennsylvania (Harrisburg)
CIVIL DOCKET FOR CASE #: 1:16-cv-01780-JEJ**

16**4784**

Tumblin v. Capital One Bank (U.S.A.), N.A.
Assigned to: Honorable John E. Jones, III
Cause: 47:332 Telecommunications Act

Date Filed: 08/26/2016
Date Terminated: 09/02/2016
Jury Demand: Plaintiff
Nature of Suit: 480 Consumer Credit
Jurisdiction: Federal Question

Plaintiff**Nakia Tumblin**

represented by **Amy L Bennecoff Ginsburg**
Kimmel & Silverman PC
30 East Butler Pike
Ambler, PA 19002
215-540-8888 ext 167
Email: aginsburg@creditlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**Capital One Bank (U.S.A.), N.A.**

Date Filed	#	Docket Text
08/26/2016	<u>1</u>	COMPLAINT against Capital One Bank (U.S.A.), N.A. (Filing fee \$400, Receipt Number 0314-3852855) filed by Nakia Tumblin. (Attachments: # <u>1</u> Civil Cover Sheet)(ve) (Entered: 08/29/2016)
08/29/2016	<u>2</u>	Summons Issued as to Capital One Bank (U.S.A.), N.A. and provided TO ATTORNEY ELECTRONICALLY VIA ECF for service on Defendant(s)in the manner prescribed by Rule 4 of the Federal Rules of Civil Procedure. (NOTICE TO ATTORNEYS RECEIVING THE SUMMONS ELECTRONICALLY: You must print the summons and the attachment when you receive it in your e-mail and serve them with the complaint on all defendants in the manner prescribed by Rule 4 of the Federal Rules of Civil Procedure). (Attachments: # <u>1</u> Summons Packet) (ve) (Entered: 08/29/2016)
09/02/2016	<u>3</u>	ORDER TRANSFERRING CASE to the Eastern District of PA. Signed by Honorable John E. Jones, III on 9/2/16. (sc) (Entered: 09/02/2016)
09/02/2016		DOCKET ANNOTATION: CASE ELECTRONICALLY TRANSFERRED. (sc) (Entered: 09/02/2016)

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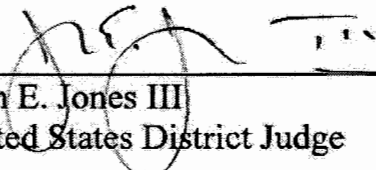
IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

NAKIA TUMBLIN,	:	1:16-cv-1780
	:	
Plaintiff,	:	
	:	Hon. John E. Jones III
	:	
CAPITAL ONE BANK (U.S.A.),	:	
N.A.,	:	
	:	
Defendant.	:	

ORDER

September 2, 2016

This matter is hereby **TRANSFERRED** to the United States District Court for Eastern District of Pennsylvania pursuant to 28 U.S.C. § 1404(a) inasmuch as the Plaintiff resides in the Eastern District of Pennsylvania and none of the acts complained of in the pleading took place in the Middle District of Pennsylvania. The Clerk of Court shall **CLOSE** the file on this case within the Middle District of Pennsylvania.



John E. Jones III
United States District Judge